

**TOPIC: DEGREE AUTHORIZATION ACT: COLLEGEAMERICA –
REQUEST FOR THE RENEWAL OF PROVISIONAL
AUTHORIZATION**

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I. SUMMARY

This item recommends the renewal of provisional authorization for CollegeAmerica to continue operating as an authorized private, degree-granting institution in Colorado pursuant to the Degree Authorization Act.

II. BACKGROUND

The Colorado Commission on Higher Education has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, which authorizes certain types of institutions to offer degrees and/or degree credits. These are: (1) Colorado publicly supported colleges and universities; (2) properly accredited private colleges and universities; (3) postsecondary seminaries and bible colleges; and (4) private occupational schools authorized by the Division of Private Occupational Schools. Persons or unauthorized organizations that violate the provisions of the statute are subject to legal penalties.

All private colleges and universities, out-of-state public colleges and universities, and seminaries and bible colleges are required to register with the Colorado Department of Higher Education and meet criteria in CCHE Policy Section I Part J in order to receive authorization to offer degrees within Colorado. Private institutions must receive authorization by CCHE prior to offering any program of instruction, academic credits, or degrees; opening a place of business; soliciting students or enrollees; or offering educational support services.

Recent changes to C.R.S. 23-2-102 et seq. authorize the Colorado Commission on Higher Education to renew the authorization annually for institutions that previously received provisional authorization. To renew its authorization to operate in Colorado, a private college or university or seminary or religious training institution shall demonstrate that it continues to meet the minimum operating standards specified in statute. Department staff created a procedure for institutions to follow in order to apply for the renewal of provisional authorization.

II. STAFF ANALYSIS

As required by the Degree Authorization Act, CollegeAmerica submitted the renewal documentation to ensure it meets minimum operating standards along with a renewal fee for each campus. CollegeAmerica has three campuses (Colorado Springs, Denver, and Fort Collins) within Colorado and the Accrediting Commission of Career Schools and Colleges (ACCSC), a U.S. Department of Education recognized accrediting agency, accredits all three campuses separately. CollegeAmerica continues to be accredited by the ACCSC even though the ACCSC has issued a system-wide show cause notice. Specifically, the ACCSC

expressed concern as to whether there are systemic issues with regard to recruitment, admissions, student achievement, advertising, state licensure, and cohort default rates [for all schools within the parent corporation]. ACCSC determined that a system-wide review of these issues is merited. As such, the ACCSC voted to direct the schools to show cause as to why accreditation should not be withdrawn. (ACCSC, July 12, 2013)

According to the ACCSC's definitions, a show cause order is not an adverse action as these are defined as actions that can be appealed under ACCSC's rules. Adverse actions include the denial of an application for initial accreditation or renewal of accreditation, revocation of accreditation, and denial of a substantive change application. A show cause order is, however, indicative of an institution not in good standing with its accreditor. Good standing, defined by ACCSC, means not operating under a show cause or probation order; not subject to any form of reporting; not subject to any adverse action by another oversight or regulatory entity; current in all fees and annual report submissions to ACCSC.

The three CollegeAmerica Colorado campuses are part of this system-wide action. The ACCSC order required a response by CollegeAmerica and its affiliate schools on or before September 17, 2013 for review at the November 2013 ACCSC Commission meeting. CollegeAmerica met this deadline and submitted a response to ACCSC. By the date of this CCHE meeting, the ACCSC should have reviewed CollegeAmerica's response. Department staff will inform the CCHE of any action taken at the ACCSC Commission meeting upon receipt of said notification.

An integral part of the Degree Authorization Act renewal process is to review the standing of an institution with other oversight or regulatory entities. CollegeAmerica is an approved school under the Division of Private Occupational Schools (DPOS), as the majority of its students are served at the certificate or Associate degree level. The Private Occupational Schools board recently reviewed several student complaints that were based on misrepresentation and came to a settlement agreement with CollegeAmerica. Based on the settlement agreement, the institution continues to operate as an approved DPOS school. Pursuant to the settlement agreement, DPOS will monitor the school for two-years. The action taken by the DPOS board partly informed ACCSC's show cause notice.

CollegeAmerica remains accredited by an appropriate accrediting agency and remains an approved institution under the rules of the Division of Private Occupational Schools unless and until there is action taken by either the DPOS board or the ACCSC board to change that. Given these facts, CollegeAmerica continues to meet the minimum standards in its compliance with the Degree Authorization Act.

IV. STAFF RECOMMENDATION

Staff recommends that the Commission approve the renewal of provisional authorization for CollegeAmerica until October of 2014.

STATUTORY AUTHORITY

C.R.S. §23-2-103.3